

REMARKS

Claims 1-16 are pending in the application. In the non-final Office Action of January 25, 2007, the Examiner made the following disposition:

- A.) Rejected claim 1 under 35 U.S.C. §102(e) as being anticipated by *Hutchison* (U.S. 6,405,246).
- B.) Rejected claims 2, 3, 5, 6, 8, 9-11, 13, 14, and 16 under 35 U.S.C. §103 as being unpatentable over *Hutchison* in view of *Barile, et al.* (U.S. 5,977,886) (“*Barile*”).
- C.) Rejected claims 4 and 12 under 35 U.S.C. §103(a) as being unpatentable over *Hutchison* in view of *Barile* and further in view of *Bukszar* (U.S. 6,133,916).
- D.) Rejected claims 7 and 15 under 35 U.S.C. §103(a) as being unpatentable over *Hutchison* in view of *Barile* and further in view of *Hoffberg, et al.* (5,901,246) (“*Hoffberg*”).

Applicant respectfully traverses the rejections and addresses the Examiner’s disposition below.

Claims 1, 3-5, 9, and 11-16 have been amended. Claims 2 and 10 have been canceled.

- A.) Rejection of claim 1 under 35 U.S.C. §102(e) as being anticipated by *Hutchison* (U.S. 6,405,246):

Applicant respectfully disagrees with the rejection.

Independent claim 1, as amended, claims a method for downloading a file to a personal data assistant (PDA). A user input is received that indicates a user preference of desired functions of a set of functions that are associated with an application corresponding to the file. At least one function of the set of functions is determined responsive to the user input. The file and the at least one function are dynamically downloaded to the PDA.

This is clearly unlike *Hutchinson*, which fails to disclose or suggest receiving a user input that indicates a user preference of desired functions and determining at least one function of a set of functions responsive to the user input. *Hutchison* automatically downloads necessary software components for an object. *Hutchison* 4:43-59. Unlike Applicant's claimed invention, nowhere does *Hutchison* disclose or suggest receiving a user input that indicates a user preference of desired functions and determining at least one function of a set of functions responsive to the user input. In fact, *Hutchison* fails to even discuss receiving a user input regarding its software components.

Therefore, for at least these reasons, *Hutchison* fails to disclose or suggest claim 1.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

B.) Rejection of claims 2, 3, 5, 6, 8, 9-11, 13, 14, and 16 under 35 U.S.C. §103 as being unpatentable over *Hutchison* in view of *Barile, et al. (U.S. 5,977,886)*("Barile"):

Applicant respectfully disagrees with the rejection.

Independent claims 1 and 9, each as amended, each claim subject matter relating to receiving a user input that indicates a user preference of desired functions of a set of functions that are associated with an application corresponding to the file to be downloaded to a PDA. At least one function of the set of functions is determined responsive to the user input. The file and the at least one function are dynamically downloaded to the PDA.

This is unlike *Hutchinson*, as discussed above. *Barile* also fails to disclose or suggest receiving a user input that indicates a user preference of desired functions and determining at least one function of a set of functions responsive to the user input. *Barile* describes how a user

input is adapted to a particular application by mapping the user input to an application-specific code set. *Barile* 2:2-52. This is unlike Applicant's claimed user input that indicates a preference of desired functions. Further, nowhere does *Barile* suggest determining at least one function of a set of functions responsive to the user input.

Therefore, for at least these reasons, *Hutchison* in view of *Barile* fails to disclose or suggest claims 1 and 19.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

C.) Rejection of claims 4 and 12 under 35 U.S.C. §103(a) as being unpatentable over

Hutchison in view of *Barile* and further in view of *Bukszar* (U.S. 6,133,916):

Applicant respectfully disagrees with the rejection.

Independent claims 1 and 9 are allowable over *Hutchinson* in view of *Barile* as discussed above. *Bukszar* still fails to disclose or suggest receiving a user input that indicates a user preference of desired functions and determining at least one function of a set of functions responsive to the user input. Therefore, *Hutchinson* in view of *Barile* and further in view of *Bukszar* fails to disclose or suggest claims 1 and 9.

Claims 4 and 12 depend directly or indirectly from claims 1 or 9 and are therefore allowable for at least the same reasons that claims 1 and 9 are allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

D.) Rejection of claims 7 and 15 under 35 U.S.C. §103(a) as being unpatentable over

Hutchison in view of *Barile* and further in view of *Hoffberg, et al.*

(5,901,246) (“*Hoffberg*”):

Applicant respectfully disagrees with the rejection.

Independent claims 1 and 9 are allowable over *Hutchinson* in view of *Barile* as discussed above. *Hoffberg* still fails to disclose or suggest receiving a user input that indicates a user preference of desired functions and determining at least one function of a set of functions responsive to the user input. Therefore, *Hutchinson* in view of *Barile* and further in view of *Hoffberg* fails to disclose or suggest claims 1 and 9.


Claims 7 and 15 depend directly or indirectly from claims 1 or 9 and are therefore allowable for at least the same reasons that claims 1 and 9 are allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

Conclusion

In view of the above remarks, Applicant submits that claims 1, 3-9, and 11-16 are allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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